

## **SUMMARY OF 1999 CHAPTERED LEGISLATION**

### **CONTROLLED SUBSTANCES**

#### **AB 162 (Runner) Chapter 978**

This bill limits the ability of methamphetamine manufacturers to obtain precursor chemicals through the purchase of over-the-counter medications that include the precursor chemical ephedrine. The bill limits the over-the-counter retail sale of more than 3 packages of products containing ephedrine (or 9 grams total). This bill preempts inconsistent local ordinances.

#### **AB 924 (Assembly Public Safety Committee) Chapter 975**

This bill includes gamma-butyrolactone (GBL) - a drug related to gamma-hydroxybutyrate (GHB) - as a Schedule II controlled substance. This bill allows legitimate manufacturers and distributors of GBL to obtain formal authorization from the Department of Justice for such activities.

#### **SB 847 (Vasconcellos) Chapter 847**

This bill establishes a three-year research program to determine the safety and efficacy of marijuana as a therapeutic drug.

### **CRIMINAL PROCEDURE**

#### **BAIL**

#### **AB 243 (Wildman) Chapter 426**

This bill establishes the Bail Fugitive Recovery Act (Act) which requires that all individuals participating in bail fugitive recovery to meet specified requirements and regulations.

#### **AB 468 (Baugh) Chapter 33**

This bill revises the circumstances under which bail bondsmen can obtain identifying information about fugitives. Under current law, this information may be provided if the judge issues a bench warrant for a fugitive's arrest. This bill allows bail bondsmen to have the same access to identifying information about fugitives when a bail forfeiture has been ordered as they are currently able to obtain when a bench warrant is issued. This bill also permits this information to be released if a bail forfeiture is ordered.

### **AB 476 (Ackerman) Chapter 570**

This bill directs a court to consider a defendant's background, crime of conviction and risk of flight when determining whether to leave a defendant out on bail pending sentencing. This bill clarifies the statutes that allow a surety insurer, the surety or the bail agent to avoid forfeiture (exonerate bail) where an absconding defendant is returned to court within 180 days, or within an additional 180 days upon motion of the agent, and to ease the requirements for avoiding forfeiture. This bill extends from 20 days to 30 days the time before a bail forfeiture-related summary judgment against a bail surety is enforced and the surety barred from offering bail.

### **AB 1284 (Jackson) Chapter 703**

This bill adds felony witness intimidation and terrorist threats to the provision in current law which prohibits persons arrested for specified offenses from being released on their own recognizance or on bail in an amount more or less than the bail schedule without a hearing in open court. This bill additionally imposes certain notification and bail conditions in stalking cases, the violation of which could lead to a no-bail warrant.

## **COURT PROCEDURE**

### **AB 154 (Cunneen) Chapter 363**

This bill requires a motion to recuse a district attorney to include affidavits by witnesses and to require the judge to review those affidavits before determining whether or not there should be an evidentiary hearing on the motion.

### **AB 381 (Cardoza) Chapter 298**

This bill prohibits plea bargaining in cases where false imprisonment, for the purpose of protection from arrest or for the purpose of using a person as a human shield is charged by designating this offense to be a “serious” felony.

### **AB 501 (Nakano) Chapter 382**

This bill requires the superior court to make a reasonable effort to avoid scheduling a trial date for a vertical prosecution career criminal case on the same day as another trial is set which involves the same prosecuting attorney. This bill adds the unavailability of a prosecutor assigned to a career criminal prosecution unit to the definition of what constitutes good cause for continuance. This bill allows the court to grant one continuance per case, not to exceed 10 days.

### **SB 69 (Murray) Chapter 580**

This bill allows the court to continue a stalking trial or hearing date for up to ten court days where the prosecutor assigned has another trial or hearing in progress, and requires the court to make reasonable efforts to avoid scheduling a prosecutor's stalking trial when he or she has another trial set. The bill also authorizes that in these cases the court grant only one continuance per stalking case and requires that the continuance be for the shortest time possible, not to exceed 10 court days.

### **SB 367 (Dunn) Chapter 514**

This bill allows a trial court to adopt local rules permitting electronic filing and service of documents, as specified. This bill provides that any credit card fee imposed by a court must be approved by the Judicial Council. This bill requires the Judicial Council to adopt uniform rules for the electronic filing and service of documents in the trial courts of the state by January 1, 2003. This bill provides that the Judicial Council may enter into a master agreement with one or more credit card issuers or draft purchasers for the acceptance and payment of credit card drafts received by the courts.

### **SB 1126 (Costa) Chapter 1126**

This bill deletes the pilot project aspect of a provision in the law that allows the Department of Corrections to arrange for the initial court appearance and arraignment in municipal or superior court to be conducted by a two-way electronic audiovideo communication between the defendant and the courtroom in lieu of the physical presence of the defendant in the courtroom. This bill also removes the reporting requirement; the limit on the number of institutions included; and the sunset clause on that provision.

## **EVIDENCE**

### **AB 840 (Kuehl) Chapter 445**

This bill establishes a rebuttable presumption against granting custody of a child to an individual found by the court to have perpetrated acts of domestic violence.

## **ENFORCEMENT AND PUNISHMENT**

## **ARSON**

## **SB 555 (Karnette) Chapter 518**

This bill makes several clarifying changes to existing law regarding registration of arson offenders. These changes include:

- (1) requiring persons convicted of aggravated arson to register;
- (2) clarifying that registration is a life-long requirement for those convicted on or after November 30, 1994 and a five-year duty for those convicted from January 1, 1985, through November 29, 1994;
- (3) shortening the period of time from 30 to 14 days that a person convicted of arson must register with law enforcement after entering a city, county, or college campus;
- (4) requiring juveniles committed to the California Youth Authority (CYA) for arson to register until he or she is 25 years old or until the record is sealed, whichever occurs first;
- (5) requiring the probation department, rather than the court, to inform a defendant released on probation, or discharged upon payment of a fine, of his or her duty to register as an arson offender; and,
- (6) allowing a person convicted of a misdemeanor may be relieved of the duty to register if he or she successfully petition the court to dismiss a complaint following the successful completion of probation.

This bill also reinstates for five years the factor in aggravation of \$5 million damages for the offense of aggravated arson. This provision expired on January 1, 1999.

## **GENERAL SENTENCING**

### **AB 140 (Hertzberg) Chapter 563**

This bill enacts the Hertzberg-Alarcon California Prevention of Terrorism Act. This bill will create a comprehensive scheme to control Weapons of Mass Destruction (WMD) - biological, chemical and nuclear weapons - and to punish those who use or possess such weapons, similar to federal law. The bill will also make it a crime punishable as either a felony or a misdemeanor, for any person to knowingly threaten to use a weapon of mass destruction, as specified which results in isolation, quarantine, or decontamination effort.

### **AB 182 (Ackerman) Chapter 231**

This bill provides that it is a misdemeanor to secretly videotape, film, photograph, or record by electronic means another person under or through his or her clothing for the purpose of viewing that person's body or undergarments without consent.

### **AB 1469 (Assembly Public Safety Committee) Chapter 113**

This bill will reenact fee provisions relating to county home detention and work furlough programs that expired on January 1, 1999.

#### **SB 139 (Johnson) Chapter 396**

This bill provides that a person who actively conceals an accidental death, as defined, is guilty of a misdemeanor.

#### **SB 786 (Schiff) Chapter 350**

This bill provides that in statutes for which prior offense convictions are enhancements or otherwise increase the sentence, a predecessor statute with all of the elements of the cross-referenced offense meets the requirements of a prior conviction of that offense. This bill requires courts, when determining whether a defendant has a required prior conviction, to look at the elements of the prior offense, not the Code section number.

### **HATE CRIMES**

#### **AB 208 (Knox) Chapter 566**

This bill provides for life without the possibility of parole to anyone convicted of first degree murder if the victim was intentionally killed because of his or her actual or perceived disability, gender, or sexual orientation, and this allegation has been charged and found to be true. This bill provides that nothing in the section shall be construed to prevent punishment instead pursuant to any other provision of law that imposes a greater or more severe punishment (i.e., the death penalty). This bill provides that the judge may only strike the hate crime in the interests of justice if a written finding is made.

### **MURDER**

#### **AB 1574 (Corbett) Chapter 694**

This bill expands the “felony murder rule” to include murders perpetrated during the crime of “torture” and thereby provide that a murder which occurs when a person had the intent to torture, but no premeditation to kill, is first degree murder, punishable by imprisonment in the state prison for 25-years-to-life, or (if a “special circumstance” is present) life without the possibility of parole, or death.

## **FIREARMS**

#### **AB 106 (Scott) Chapter 246**

This bill enacts the “Aroner-Scott-Hayden Firearms Safety Act of 1999.” The purpose of this act is to require that after January 1, 2002, all firearms sold, transferred, or manufactured in this state be accompanied by both an approved firearms safety device and “warning” materials; to require that the Attorney General/Department of Justice set standards for such devices and certify laboratories to verify compliance of such devices with the standards; to set timelines for the implementation of this bill; to require all law enforcement agencies, effective January 1, 2000, to report to the Attorney General about incidents involving unintentional or self-inflicted firearm wounds to minors; to enact Legislative finding about firearms injuries to children; and to make related changes.

#### **AB 202 (Knox) Chapter 128**

This bill makes it a misdemeanor for any dealer to deliver a pistol, revolver, or other concealable firearm, following notice from the Department of Justice that, within the preceding 30-day period, the purchaser made another application to purchase that concealable firearm. This bill also provides that, except as specified, any person who makes an application to purchase more than one concealable firearm within any 30-day period is guilty of either an infraction or misdemeanor depending upon the number of violations committed by that person.

#### **AB 295 (Corbett) Chapter 566**

This bill enacts the “Gun Show Enforcement and Security Act of 2000.” This bill also requires identifying information about entities participating in gun shows to be provided to law enforcement within 48 hours. This bill: (1) requires contracts between gun show producers and gun show vendors, (2) imposes certain requirements upon vendors in connection with the sale and display of firearms and ammunition at a gun show, as specified, (3) prohibits, except for gun show vendors, peace officers and security personnel, any person at a gun show from simultaneously possessing ammunition and a firearm, (4) requires the posting of specified notices in regard to enforcement of firearms sales, (5) requires each vendor to provide specified information regarding persons working in the vendor's display area to be kept by the show producer, (6) requires all firearms brought onto the premises to be checked and tagged, as specified, (7) provides that no minor shall be admitted to, or be permitted to remain at, a gun show or event unless the minor is accompanied by the minor's parent or legal guardian at all times while at the gun show or event, and (8) provides that a violation of these provisions shall be an infraction or misdemeanor.

#### **AB 491 (Scott) Chapter 571**

This bill requires the Attorney General, at the written request of any person listed in the Attorney General’s concealed firearm registry as the owner of a firearm through a Dealers’ Record of Sale prior to 1979, to store and keep that record electronically and to provide the person written notice of its compliance with the request. This bill makes it an alternate

felony/misdemeanor, punishable by up to one year in county jail or in state prison, a fine, or both, to carry a concealed firearm if both the firearm and the unexpended ammunition are in the immediate possession of the person or are readily accessible, or the concealable firearm is loaded, as specified, and the person is not the registered owner. It also makes it an alternate felony/misdemeanor to openly carry a concealable, loaded firearm if the person is not the registered owner. In addition, the bill changes the definition of lawful possession, as specified. It also requires, until January 1, 2005, district attorneys to report annually to the Attorney General (AG) profiles of persons charged with felonies or misdemeanors under these provisions. The AG is then required to report to the Legislature annually.

#### **AB 1322 (Oller) Chapter 142**

This bill provides that custodial officers' concealed weapons licenses may be valid for 4 years, rather than the up to 2 years cap applicable to the general public.

#### **AB 1587 (Scott) Chapter 578**

This bill creates a meaningful judicial hearing to determine whether a person formerly subject to a 72-hour "5150" hold under the Lanterman-Petris-Short Act as a danger to self or others may be prohibited from possessing a firearm. The bill establishes procedures to be followed prior to and relative to the hearing. This bill contains an urgency clause. This bill specifies that it will become effective 30 days after specified forms are delivered by the Department of Justice to mental health facilities.

#### **SB 15 (Polanco) Chapter 248**

This bill makes it a misdemeanor, punishable by up to a year in county jail and/or a fine for anyone to manufacture, sell, lend or possess any "unsafe handgun." The Department of Justice is required to create a roster of all handguns which are not "unsafe handguns."

#### **SB 23 (Perata) Chapter 129**

This bill provides that it is a wobbler, commencing January 1, 2000, for any person to manufacture or cause to be manufactured, import into the state, keep for sale, or offer to expose for sale, or give, or lend any large-capacity magazine, as specified; adds a new "generic" definition list of assault weapons in a new section of the Roberti-Roos Assault Weapons Control Act of 1989, as specified; expands the existing Roberti-Roos exemption for use of assault weapons for peace officers while on duty to allow specified peace officers to use and possess assault weapons on and off duty and after retirement if that weapon is transferred to the retiring officer by the agency he or she is retiring from; and makes numerous related changes.

## **SB 130 (Hayden) Chapter 245**

This bill enacts the “Aroner-Scott-Hayden Firearms Safety Act of 1999.” This act requires that after January 1, 2002, all firearms sold, transferred, or manufactured in this state be accompanied by both an approved firearms safety device and “warning” materials; requires that the Attorney General/Department of Justice set standards for such devices and certify laboratories to verify compliance of such devices with the standards; to set timelines for the implementation of this bill; requires all law enforcement agencies, effective January 1, 2000, to report to the Attorney General about incidents involving unintentional or self-inflicted firearms wounds to minors; enacts legislative findings about firearms-related injuries to children; and makes related changes.

## **JUVENILE CRIME/GANGS**

### **JUVENILE CONFIDENTIALITY/DISCLOSURE OF NAMES**

## **AB 744 (McClintock) Chapter 167**

This bill enacts a new statute for minors to file a petition for a finding of factual innocence, resulting in the sealing and destruction of records, as specified.

## **SB 199 (Polanco) Chapter 984**

This bill enacts the “Lance Helms Law of Confidentiality” which generally requires the court, after hearing on a noticed petition, to provide access to a juvenile case file if a child is deceased, provided identifying information regarding siblings and half-siblings of the deceased child, if any, who are or were within the court’s jurisdiction, are redacted from the records.

### **JUVENILE COURT**

## **SB 208 (Polanco) Chapter 417**

This bill creates a presumption that a child is a dependent of the juvenile court if the parent, guardian, or any person currently living with the minor has a prior sex conviction, a previous judicial finding of sexual abuse, or is required to register as a sex offender.

### **SCHOOL VIOLENCE**

## **AB 646 (Bates) Chapter 832**

This bill requires any law enforcement agency who is investigating a missing child to inform the school district, other local educational agency, or private school, where the child is enrolled, that the child is missing. This bill requires the notice to be provided within 10 days of the child’s



disappearance. This bill requires that the notice be placed on the front of each missing child's school record. This bill also requires any school that receives a record inquiry or request for a missing child about whom the school has been notified, to immediately notify the law enforcement officials.

#### **AB 658 (Washington) Chapter 645**

This bill changes the School Safety and Violence Prevention Act to the Carl Washington School Safety and Violence Prevention Act. This bill appropriates \$1 million from the General Fund to the Superintendent of Public Instruction for allocation exclusively to county offices of education to promote school safety and to help reduce schoolsite violence.

#### **SB 334 (Alpert) Chapter 996**

This bill enacts the “‘No More Victims’ Violence Prevention and School Safety 2000 Strategy” which revises and repackages the Arnold-Kennick Juvenile Court Law. The bill extends the sunset date indefinitely on existing law allowing the governing board of a school district to apply for grants from the State Superintendent of Public Instruction to implement school safety plans. This bill establishes the School Safety and Violence Prevention Strategy Program for the purpose of promoting school safety and violence prevention among students in the public schools. The bill appropriates \$5 million to carry out the program. The bill appropriates \$1.5 million to the State Board of Corrections for the At-risk Youth Early Intervention Program. The bill appropriates \$3 million to San Diego County to purchase the San Pasqual Academy, \$1.8 million to the City and County of San Francisco to purchase and install surveillance cameras on public transit vehicles, and \$1.5 million to the City of Riverside to expand the operation of the Project Bridge Gang Crime Prevention Program.

#### **SB 570 (Alarcon) Chapter 1013**

This bill increases the misdemeanor penalties for interfering with classes or activities on school grounds and misdemeanor penalties for disrupting a class or activity where a school employee is present to a fine of not less than \$500 or more than \$1000, and/or imprisonment in a county jail for up to one year for a first offense. A second violation is punishable by imprisonment in county jail for 10 days or up to one year or a fine of up to \$1000. A third or subsequent violation is punishable by imprisonment in county jail for 90 days or up to one year and a fine of up to \$1000. This bill also declares the Legislature's intent that specified school personnel report missing children “in a timely manner.”

#### **YOUTH AUTHORITY**

#### **AB 637 (Migden) Chapter 333**

This bill modifies the statutory purpose of the Youth Authority to include community restoration and victim restoration, and specifies that the provision's "training and treatment" language apply to offenders.

## **LAW ENFORCEMENT OFFICERS**

### **AB 1334 (Lowenthal) Chapter 702**

This bill increases the membership of the Commission on Peace Officer Standards and Training (POST) from 13 to 14 by increasing the number of members who are peace officers with the rank of sergeant or below from 3 to 4.

### **AB 1586 (Florez) Chapter 338**

This bill prohibits public safety officers from being required by an employer to consent to the use of his or her photograph or identity as a public safety officer on the Internet for any purpose the officer believes may result in a threat, harassment, intimidation, or harm to that officer or his or her family. This bill also allows the officer to notify the department or agency to cease or desist from that disclosure and to seek an injunction and civil penalties for unauthorized use after receipt of the notice. This bill provides that courts may impose a penalty of up to \$500/day two days after the date of receipt of a notification to cease and desist.

### **SB 287 (Baca) Chapter 268**

This bill requires law enforcement agencies to ensure that their policy and procedure manuals and training manuals incorporate language based upon the provisions of the 1963 Vienna Convention on Consular Relations Treaty. The bill requires every peace officer, upon the arrest and booking or detention of a foreign national for more than two hours, to advise the foreign national that he or she has a right to communicate with an official from the consulate of his or her country. For certain enumerated countries, the consulate must be contacted in any case. These provisions implement federal law (a treaty entered into by the United States) and are designed to ensure that the offender does not subsequently have a valid claim that his or her rights under the Consular Relations Treaty were violated.

### **SB 359 (Knight) Chapter 111**

This bill provides that a reserve officer who has previously satisfied specified peace officer standards and training requirements and has been serving as a Level I or II reserve officer in one law enforcement agency be deemed to remain qualified even though that reserve officer accepts a new appointment at the same level in another law enforcement agency. This bill also allows reserve peace officers of designated police agencies to be able to use specified weapons when on duty and within the course and scope of their duties, as specified (short-barreled shotguns and short-barreled rifles).

### **ARREST POWERS**

### **AB 89 (Cedillo) Chapter 331**

This bill authorizes transportation investigators employed by the State Department of Transportation for the City of Los Angeles to exercise peace officer powers of arrest.

### **SB 355 (Hughes) Chapter 659**

This bill grants community college and K-12 school district police the authority to request, serve, and enforce emergency protective orders based on an allegation of domestic violence, stalking or family violence and allows these officers to confiscate a firearm from the scene of a violent incident.

#### **SB 1163 (Ortiz) Chapter 112**

This bill creates the authority for police chiefs to employ police security officers, as specified. Currently this authority only rests with sheriffs. The bill requires the officer to receive training with a baton "prior to assignment," rather than "within 90 days of being assigned," as in present law. This bill limits the duties, rather than authorizes the duties of a sheriff's or police security officer.

### **VIOLENCE AGAINST WOMEN, CHILDREN AND ELDERLY**

#### **CHILD ABUSE/MOLESTATION/PORNOGRAPHY**

#### **SB 525 (Polanco) Chapter 1012**

This bill expands the following membership of the Child Death Review Council from: Department of Justice (DOJ), Department of Social Services (DSS), Department of Health Service (DHS), the California Coroner's Association, the County Welfare Directors Association, the California Consortium to Prevent Child Abuse, and the California Homicide Investigators Association; to: DOJ, DSS, DHS, the California Coroner's Association, the County Welfare Directors Association, the California Consortium to Prevent Child Abuse, and the California Homicide Investigators Association, Office of Criminal Justice Planning (OCJP), Inter-Agency Council on Child Abuse and Neglect/National Center on Child Fatality Review, California Conference of Local Health Officers, California Conference of Local Directors of Maternal, Child and Adolescent Health, California Conference of Local Health Department Nursing Directors, California District Attorneys Association; and, three regional representatives chosen by other members of the council. This bill also increases and makes mandatory the responsibilities of DOJ, DHS, and OCJP relating to child deaths suspected to be a result of abuse or neglect.

#### **SB 668 (Sher) Chapter 867**

This bill repeals the Uniform Child Custody Jurisdiction Act (UCCJA), as enacted by California, and replaces it with the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). The Uniform Child Custody Jurisdiction and Enforcement Act conforms current California law (the Uniform Child Custody Jurisdiction Act) to key provisions of the federal Parental Kidnapping Prevention Act (PKPA). The new Uniform Child Custody Jurisdiction and Enforcement Act gives priority jurisdiction to courts in a child's home state and limit child

custody jurisdiction to one state until all parties have exited the initial state in which jurisdiction is established. The bill provides for enforcement of child custody orders in interstate disputes.

**DOMESTIC VIOLENCE/STALKING LEGISLATION**

### **AB 207 (Thomson) Chapter 367**

This bill allows the court, under specified conditions, to allow a victim of domestic violence, to record any prohibited communication initiated by the perpetrator of the domestic violence.

### **AB 403 (Romero) Chapter 1022**

This bill requires each state and local law enforcement agency to provide a copy of a domestic violence report to the victim, within two working days after being requested, when the victim requests a copy. This bill provides that one copy of this report be provided free of charge. This bill provides that this shall apply to requests made within five years of the date of the report relating to an incident of domestic violence. This bill also appropriates \$200,000 to the Department of Justice for training local law enforcement on the enforcement of firearms laws at gun shows.

### **AB 825 (Keeley) Chapter 661**

This bill requires a court issuing specified protective and restraining orders to use a standard form. This bill does not apply to protective or restraining orders issued by a court of another state, tribe, or territory. This bill, however, provides that a protective or restraining order issued by a court that is not on the specified forms is still enforceable. This bill also changes the name of the Domestic Violence Protective Order Registry to the Domestic Violence Restraining Order System.

### **SB 218 (Solis) Chapter 662**

This bill makes numerous changes to improve the effectiveness of domestic violence protective orders (DVPO) and provides greater security and protection for victims of domestic violence.

### **SB 563 (Speier) Chapter 660**

This bill expands the list of specified persons, under which the crime of corporal injury is a felony or misdemeanor, to include former spouse or former cohabitant.

### **ELDER ABUSE**

### **AB 59 (Cedillo) Chapter 561**

This bill authorizes the issuance of emergency and other protective orders, similar to domestic violence protective orders, to prevent abuse of the elderly and dependent adults by unrelated roommates or housemates, caregivers, or others. It revises the grounds for the issuance of these emergency protective orders, limit those grounds with respect to financial abuse situations, and

establish that these orders would be registered with the Domestic Violence Protective Registry in the Department of Justice. The bill also includes shelter for abused elder persons or dependent adults to those institutions that fines may be paid to by a defendant.

#### **AB 739 (Pescetti) Chapter 236**

This bill limits the exemptions in current law regarding mandatory elder abuse reporting. This bill restricts the exemption from mandatory reporting to physicians, therapists, and registered nurses.

#### **AB 1499 (Lowenthal) Chapter 414**

This bill requires each long-term health care facility and community care facility, as defined, or any other nonmedical out-of-home care facility that provides care to adults, to provide training to recognize and report elder and dependent adult abuse.

### **RAPE AND RELATED SEX CRIMES**

#### **AB 313 (Zettel) Chapter 569**

This bill consolidates current sex crimes against vulnerable victims enhancement statutes. It also provides for a consistent definition of vulnerable victims by including “deaf” and “developmentally disabled” victims in a vulnerable victim statute which does not currently include them.

### **SEX OFFENDER REGISTRATION**

#### **AB 457 (Scott) Chapter 281**

This bill expands the definition of sex offense for the purpose of prohibiting employment at a school; provides that the Commission on Teacher Credentialing shall revoke the credential of any person denied employment because of a conviction for a serious or violent felony or specified sex or drug offense; and prohibits a county board of education from issuing a temporary certificate to an applicant whose teaching credential is revoked or suspended.

#### **AB 1193 (Leonard) Chapter 576**

This bill makes a number of changes required in order to conform to the mandates of the federal Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. This bill provides that a certificate of rehabilitation cannot be granted until at least 10 years after the conviction for any person who has committed an offense requiring registration as a sex offender.

This provides, beginning in November 25, 2000, that a person who is a part-time worker or student, entering the state of California, must register as a sex offender, as specified.

#### **SB 11 (Schiff) Chapter 136**

This bill provides that a petition to have an offender declared to be a sexually violent predator (SVP) shall not be dismissed on the basis of a later judicial or administrative determination that the individual's custody was unlawful as the result of a good faith mistake of fact or law.

#### **SB 341 (Figueroa) Chapter 901**

This bill expands the scope of existing penalties for failure to register as a sex offender by including juvenile adjudications that result in a Youth Authority commitment in the underlying offenses triggering the penalties. Under current law, no penalties apply for a failure to register by a juvenile, because the penalty provision refers to "convictions." Juveniles are adjudicated delinquent, not convicted of crimes.

#### **SB 746 (Schiff) Chapter 995**

This bill allows the use of one of the two forcible sex offenses necessary to render a prison inmate eligible for commitment as a Sexually Violent Predator to be a juvenile adjudication for such an offense, and thereby to significantly expand the reach of the Sexually Violent Predator law.

#### **SB 1275 (Schiff) Chapter 730**

This bill requires the Department of Justice to collect employment information concerning sex offender registrants, as specified, to make further related changes, and to make additional technical changes to the sex offender registration statute. This bill prohibits the department from disclosing to a member of the public under the above provision, the name or address of the listed person's employer.

### **WHITE COLLAR CRIME**

#### **AB 451 (Maddox) Chapter 254**

This bill expands the ability of law enforcement officials to seek forfeiture of computer equipment used in the commission of crimes. This bill also clarifies certain computer crime statutes.

#### **AB 526 (Zettel) Chapter 383**



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**SB 157 (Johnston) Chapter 427**

This bill extends the sunset date of the High Technology Theft Apprehension and Prosecution Program from January 1, 2000 to January 1, 2003.

## **MISCELLANEOUS**

### **AB 110 (Baugh) Chapter 619**

This bill appropriates \$620,000 to the State Department of Justice for payment to Kevin Lee Green as compensation for his 17 years of incarceration for crimes he did not commit. This bill provides that this payment is not subject to taxation.

### **AB 157 (Reyes) Chapter 564**

This bill establishes the Rural Crime Prevention Demonstration Project to develop crime control techniques, timely reporting of crimes, and evaluation of the efforts for specified counties in the Central Valley.

### **AB 183 (Washington) Chapter 232**

This bill requires counties participating in vehicle theft crime programs to submit a quarterly report to the Department of the California Highway Patrol relating to vehicle theft crimes. The CHP is required to prepare an annual report for the Legislature. This bill also extends the existing sunset date to January 1, 2005.

### **AB 221 (Wildman) Chapter 438**

This bill provides that any person who points a laser pointer or laser scope at another person in a threatening manner with the specific intent to cause a reasonable person fear of bodily harm is guilty of a misdemeanor, punishable by imprisonment in a county jail for up to 30 days. Furthermore, this bill provides that any person who aims or points a laser scope or laser pointer at a peace officer with the specific intent to cause the officer apprehension or fear of bodily harm is guilty of a misdemeanor and shall serve a mandatory in-custody term not exceeding 6 months. This bill additionally provides that any person who commits a second or subsequent violation of either offense is guilty of a misdemeanor, punishable by imprisonment in a county jail for up to one year.

### **AB 293 (Wesson) Chapter 621**

This bill provides that any person who, except in self-defense, aims or points a laser scope or a laser pointer, as defined, at another person in a threatening manner is guilty of a misdemeanor, punishable by imprisonment in a county jail for up to 30 days. This bill makes it an infraction to intentionally aim laser pointers at or direct laser beams into another person's eyes; a dog's eyes, as provided; or into a moving vehicle with the intent to harass or annoy; knowingly sell laser pointers to minors; and the possession of laser pointers by students on elementary or secondary school premises. This crime is punishable by either a fine of \$50 or four hours of community

service. Second or subsequent violations are punishable by either a fine of \$100 or eight hours of community service.

**AB 749 (Wesson) Chapter 787**

This bill increases penalties for crimes associated with the purchase of alcohol by a minor, regulates the display of videos in retail alcohol outlets, and authorizes the State Department of Alcoholic Beverage Control to directly obtain a court order to destroy controlled substances and drug paraphernalia, as specified.

**AB 1188 (Runner) Chapter 976**

This bill provides that any person who commercially manufactures, commercially sells or commercially imports any undetectable knife, as defined, is guilty of a misdemeanor. This bill also requires commercial manufactures of undetectable knives to include materials to ensure that they are detectable by metal detectors. This bill does not apply to undetectable knives that are manufactured or imported for, or sold to, law enforcement or military entities, historical societies, museums and institutional collections.

**AB 1391 (Hertzberg) Chapter 727**

This bill enacts the Hertzberg-Polanco Crime Laboratories Construction Bond Act of 1999 which, subject to voter approval, authorizes the issuance of general obligation bonds of \$220 million for the construction, renovation, and infrastructure costs of new or existing state and local forensic labs, and makes related changes.

**AB 1540 (Vincent) Chapter 303**

This bill provides that any person who willfully abandons any animal is guilty of a misdemeanor, punishable by up to six months in a county jail and/or a fine of up to \$1,000. This bill does not apply to the release or rehabilitation and release of native California wildlife pursuant to statute or regulations of the California Department of Fish and Game.

**SB 6 (Rainey) Chapter 579**

This bill increases the age, from under age 12 to under age 16, of a person for whom local police and sheriff's departments are required to broadcast a missing persons bulletin in its jurisdiction, and makes related changes.

**SB 103 (Johannessen) Chapter 265**

This bill provides that any person who has custody or control of a dog trained to fight, attack, or kill is guilty of a felony or misdemeanor if the dog bites a person on two separate occasions or on one occasion causing substantial physical injury. This crime is punishable by imprisonment in the state prison for two, three, or four years, or in a county jail for up to one year, and/or a fine of up to \$10,000. This bill does not apply to veterinarians, on duty animal control officers, or on duty peace officers.

**SB 654 (Schiff) Chapter 475**

This bill makes a number of minor changes to the DNA and Forensic Identification Data Base and Data Bank Act of 1998. The bill adds additional persons who must provide hair, blood, and saliva samples for inclusion in the DNA Data Bank. The bill makes other, minor changes to the DNA Data Bank law.

**SB 662 (Figueroa) Chapter 896**

This bill will set up a procedure for obtaining and serving a search warrant on a foreign corporation that provides electronic communication services or remote computing service to the general public and is registered to do business in California.

**SB 832 (Senate Committee on Public Safety) Chapter 853**

This bill is the annual Senate Committee on Public Safety omnibus bill intended to address technical amendments to current statutes.